

**RULES  
OF  
THE TENNESSEE BOARD OF PHARMACY**

**CHAPTER 1140-2  
PROFESSIONAL CONDUCT AND RESPONSIBILITIES**

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**1140-2-.01 PHARMACISTS AND PHARMACY INTERNS.**

- (1) A pharmacist shall hold the health and safety of patients to be the first consideration and shall render to each patient the full measure of the pharmacist's ability as an essential health practitioner.
- (2) A pharmacist shall not knowingly condone or assist in the dispensing, promoting, or distributing of drugs or devices which are not of good quality, which do not meet standards by law, or which lack therapeutic value for the patient.
- (3) A pharmacist shall always strive to perfect and enlarge the pharmacist's professional knowledge and shall utilize and make available this knowledge as may be required in accordance with the pharmacist's best professional judgment.
- (4) A pharmacist shall observe the law, uphold the dignity and honor of the profession, and accept its ethical principles. A pharmacist shall not engage in any activity that will bring discredit to the profession, and shall expose, without fear or favor, illegal or unethical conduct in the profession.
- (5) A pharmacist shall seek at all times only fair and reasonable remuneration for the pharmacist's services. A pharmacist shall never agree to or participate in transactions with practitioners of other health professions or any other person under which fees are divided, or which may cause financial or other exploitation in connection with the rendering of the pharmacist's professional services.
- (6) A pharmacist shall respect the confidential and personal nature of professional and patient records. Except where the best interest of a patient requires or the law demands, a pharmacist shall not disclose such information to anyone without proper patient authorization.
- (7) A pharmacist shall not agree to practice under terms or conditions which tend to interfere with or impair the proper exercise of professional judgment and skill, which tend to cause a deterioration of the quality of professional service and patient care, or which require the pharmacist to consent to unethical conduct.
- (8) A pharmacist shall not make publication or circulation of any statement tending to deceive, misrepresent, or mislead anyone, nor be a party or accessory to any fraudulent or deceptive practice or transaction in pharmacy.
- (9) A pharmacist shall not enter into any agreement with anyone for the compounding of secret formula or coded medical or prescription orders.
- (10) A pharmacist shall, by utilizing education, skill, experience, and professional judgment, make every reasonable effort to prevent the abuse of drugs which the pharmacist dispenses.
- (11) A pharmacist shall provide pharmaceutical service:
  - (a) which is as complete as the public may reasonably expect;

(Rule 1140-2-.01, continued)

- (b) without discriminating in any manner between patients or groups of patients; and
  - (c) without compromising the kind or extent of services or facilities made available.
- (12) A pharmacist shall recognize the Tennessee Board of Pharmacy as the governing body of the practice of pharmacy in the State of Tennessee, and report to the board any violations of pharmacy laws or rules which may come to the pharmacist's attention. The pharmacist at all times shall refrain from discussing these matters with nonmembers of the profession.
- (13) The following functions must be performed personally by a pharmacist or by a pharmacy intern under the personal supervision and in the presence of a pharmacist:
  - (a) Certification of medical and prescription orders;
  - (b) Performance of final verification of the product prior to dispensing;
  - (c) Initialing of medical and prescription orders noting appropriate comments;
  - (d) Providing patient counseling;
  - (e) Providing direct patient care services;
  - (f) Providing drug information to patients, care givers, and health care providers;
  - (g) Supervision of compounding;
  - (h) Evaluation and establishment of criteria for selection of drug product(s) and supplier(s); and
  - (i) Daily opening and closing of a pharmacy practice site.
- (14) A pharmacist and pharmacy intern shall wear appropriate identification showing name and appropriate title.
- (15) A pharmacist shall immediately notify the board office in writing of a change in location of primary practice site and permanent residence.
- (16) A pharmacist shall conspicuously display the pharmacist's license and certificate of registration at the primary pharmacy practice site. Pharmacists shall possess at all times, while engaged in the practice of pharmacy, proof of a license.
- (17) A pharmacist convicted of any crime, including driving under the influence of alcohol or controlled substances, shall report such conviction to the board within ten (10) days of the conviction becoming final. For purposes of this reporting requirement, a conviction includes pretrial or judicial diversion.
- (18) A pharmacist shall comply with lawful order(s) of the board.

**Authority:** T.C.A. §§63-10-404(26),(27), and (29), 63-10-504(b)(1), and 63-10-504(b)(1)(C). **Administrative**

**History:** Repeal and new rule filed May 11, 1998; effective July 25, 1998.

**1140-2-.02 PHARMACY TECHNICIANS.**

- (1) Any person acting as a pharmacy technician shall register with the board by submitting an application on a form prescribed by the board. The applicant shall also:
  - (a) Provide a statement of good moral character;
  - (b) Submit an affidavit from his employer attesting that the applicant has read and understands the statutes and regulations pertaining to the practice of pharmacy in Tennessee. (A copy of this affidavit shall be retained at the place of employment.)
  - (c) Submit the appropriate application fee as set in Rule 1140-1-.10 of the Rules of the Board of Pharmacy.
- (2) The pharmacist in charge at each pharmacy practice site is responsible for compliance with the provisions of this chapter by pharmacy technicians at that pharmacy practice site.
- (3) A pharmacy technician may perform the following functions, but only in the presence of and under the supervision of a pharmacist:
  - (a) Accept a request from a patient to refill a medical or prescription order;
  - (b) Accept or request authorization for a refill of a medical or prescription order from a practitioner or a practitioner's agent;
  - (c) Prepare a label to be placed on the dispensing container;
  - (d) Obtain and enter patient or medical or prescription order data into the patient information system;
  - (e) Retrieve prescription drugs and devices and related materials from stock, count or measure prescription drugs and devices and related materials, and place the prescription drugs and devices and related materials in the dispensing container;
  - (f) Affix a label to a dispensing container;
  - (g) Assist in reconstituting of prescription drugs;
  - (h) Assist in compounding;
  - (i) Transmit pharmacist approved orders to suppliers;
  - (j) Place ancillary information on the dispensing container;
  - (k) Prepackage and label drugs and devices and related materials for future dispensing;
  - (l) Deliver drugs and devices and related materials provided an established procedure is followed to ensure proper and safe delivery;
  - (m) Issue drugs and devices and related materials to authorized persons when such are to be used for administration to an inpatient;
  - (n) Prepare unit dose carts for final review by a pharmacist;
  - (o) Order drugs and devices and related materials from suppliers according to established criteria; and

(Rule 1140-2-.02, continued)

- (p) Retrieve and transport drugs and devices and related materials to and from approved areas.
- (4) In addition to the functions contained in paragraph (2) above, certified pharmacy technicians may receive new, or transferred oral medical and prescription orders.
- (5) No prescription drugs and devices and related materials may be released to a patient without verification by a pharmacist of the functions performed by the pharmacy technician.
- (6) The actual working ratio of pharmacy technicians to pharmacists shall not be more than 2:1 in any pharmacy practice site; provided, however, that the ratio may be increased to a maximum of 3:1 if at least one (1) of the pharmacy technicians is a certified pharmacy technician. For purposes of this rule, a pharmacy intern is not considered to be a pharmacy technician.
- (7) Pharmacy technicians must wear appropriate identification showing name and appropriate title (e.g., pharmacy technician, certified pharmacy technician).
- (8) All pharmacy technician functions shall be performed under the supervision of a pharmacist, who shall direct and verify the accuracy of all pharmacy technician functions. Supervision requires the physical presence of the pharmacist making appropriate in-process and end-process verifications of the pharmacy technician's activities.
- (9) All registered technicians shall conspicuously display the technician's registration certificate at the primary practice site; additionally, all certified technicians shall display in like manner evidence of certification. Pharmacy technicians shall possess at all times, while on duty, proof of registration and proof of certification, if applicable.
- (10) All registered technicians shall immediately notify the board in writing of any change of address or employer.

**Authority:** T.C.A. §§63-10-404(30), 63-10504(b)(1), 63-10-504(b)(1)(C), 63-10-506, and 63-10-508.  
**Administrative History:** Repeal and new rule filed May 11, 1998; effective July 25, 1998. Amendment filed August 19, 2002; effective November 2, 2002